

process that are designed to control spending. It is clear from the egregious levels of spending in the past couple of years that the existing process needs reinforcement.

Our amendment is designed to tighten the enforcement of existing spending controls. To do this, we create an explicit point of order against emergency spending that does not meet the definition for emergency spending as laid out by OMB.

Under our amendment, Senators may raise a point of order against legislation designated as emergency spending that fails to meet certain criteria.

This provision would apply equally to both discretionary and military spending and would also establish a 60-vote waiver threshold.

I realize we will not completely stop the problem of Congress' over-spending here today, but it is a reasonable first step.

So what we are doing here with this amendment is closing budget loopholes by: Creating a point of order against actions that raise the discretionary spending caps; creating a point of order against efforts to waive sequesters, which is a budget enforcement mechanism; and creating a point of order against directed scoring in essence, telling OMB and CBO how to treat spending that others use in order to dodge spending limits.

Any waiver of these measures will require 60 votes.

I want to reassure my colleagues that our amendment will not preclude the use of emergency spending to meet our true defense needs.

I have no doubt whatsoever that should this Nation face a crisis, there will be well over 60 Senators willing to vote to waive any possible use of this point of order.

I believe that it is important that we have this tool to eliminate the irrelevant spending that so often gets "tacked on" to our defense emergency supplemental appropriations bills.

For instance, in past defense supplementals, we have spent: \$1 billion on ballistic missile defense enhancements; \$200 million on defense health programs; and \$42 million on defense counter-drug and drug interdiction activities.

I would question whether these defense "emergencies" could not have been handled in the normal appropriations process.

Total emergency supplemental defense spending in fiscal year 2000 amounted to \$17.5 billion, and in fiscal year 1999, it totaled \$16.8 billion.

Even for Washington, these are large sums of money.

I am sure that the vast majority of this spending is for legitimate emergencies.

However, I believe we need an added safeguard to help stop abuses of the emergency spending designation in an effort to circumvent our spending caps.

I believe this amendment is a sensible approach to achieving our goal of

fiscal responsibility and it represents a good step toward improving the transparency of our budget process.

I urge my colleagues to support this amendment.

AMENDMENT NO. 322, AS MODIFIED

Mr. DODD. Mr. President, I send a modification of my earlier amendment to the desk.

The PRESIDING OFFICER. The Senator has that right.

The amendment, as modified, is as follows:

(Purpose: To increase discretionary funding for Early Learning, Child Care Development Block Grant, Child Abuse Prevention and Treatment, and Pediatric GME programs)

On page 2, line 17, increase the amount by \$270,700,000.

On page 3, line 13, decrease the amount by \$270,700,000.

On page 27, line 3 increase the amount by \$270,700,000.

On page 27, line 4 increase the amount by \$243,000,000.

On page 28, line 22 increase the amount by \$50,000,000.

On page 28, line 24 increase the amount by \$50,000,000.

On page 32, line 15 increase the amount by \$870,000,000.

On page 32, line 16 increase the amount by \$870,000,000.

On page 4, line 2 increase the amount by \$270,700,000.

On page 4, line 16 increase the amount by \$270,700,000.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I am pleased to join my colleagues, Senators VOINOVICH and GREGG, to offer this amendment to improve fiscal discipline.

Our amendment would strengthen enforcement tools. The amendment would restate the procedure on emergency spending from last year's budget resolution, with one change. It would put emergency defense spending on exactly the same footing as emergency domestic spending. All emergency designations would thus be subject to a 60-vote point of order.

As under current practice, if sustained, the point of order would strike the emergency designation, but leave the associated funding. If the funding, without the emergency designation attached, would push the total funding for the bill over its allocation, or over the total discretionary spending cap, another point of order could be raised.

Our amendment would also close several budget loopholes. It would make out of order three separate devices used to evade budget discipline: changing the discretionary spending caps, waiving a sequester, and directing scorekeeping. Under current law, doing any of these three things is out of order on any bill not reported by the Budget Committee. Our amendment would extend that prohibition to all bills.

This amendment will strengthen budget enforcement. I urge my colleagues to support it.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. VOINOVICH. I want to remind my colleagues of one thing. The direct scoring was used in the last two omnibus appropriation bills to, frankly, avoid busting the budget caps. That is why it is so important we have this point of order.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, the pending amendment is not germane. Therefore, I am constrained to raise a point of order. The amendment violates section 305(b)(2) of the Congressional Budget Act of 1974.

Mr. VOINOVICH. Mr. President, I ask the point of order be waived and ask for the yeas and nays on the waiver of the point of order.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Had the Senator used all his time? How much time did he use?

The PRESIDING OFFICER. They used 7 minutes.

Mr. DOMENICI. Would the Senator like to speak a little longer on this amendment in case somebody is interested?

Mr. VOINOVICH. Not necessarily, unless somebody wants to speak against it. Then I will answer.

Mr. CONRAD. Does the Senator from South Carolina seek time?

Mr. HOLLINGS. Mr. President, I ask for 10 minutes from my distinguished chairman?

Mr. CONRAD. I yield to the Senator from South Carolina 10 minutes.

AMENDMENT NO. 225

Mr. HOLLINGS. Mr. President, I call up amendment No. 225 on behalf of myself, Senator BIDEN, Senator DASCHLE, and others.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from South Carolina [Mr. HOLLINGS], for himself, Mr. BIDEN, and Mr. DASCHLE, proposes an amendment numbered 225.

Mr. HOLLINGS. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide for a \$85 billion tax rebate, and for other purposes)

On page 43, strike lines 10 through 12, and insert the following:

(A) New budget authority, \$85,000,000,000.

(B) Outlays, \$85,000,000,000.

(C) The Senate finds that

(i) given the apparent economic slowdown, the Congress should stimulate the economy by passing a 1-year true tax cut stimulus package that provides income tax and payroll tax relief;

(ii) for real economic stimulus the 1-year tax cut should equal approximately 1 percent of the gross domestic product, or \$95,000,000,000;